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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/629,408

07/29/2003

Rapeepat Ratasuk

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07/24/2006

MOTOROLA, INC.

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EXAMINER

NG, CHRISTINE Y

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/629,408

Applicant(s)

RATASUK ET AL.

Examiner

Christine Ng

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 May 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 8-11, 13-17, 19 and 21-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-6, 8-11, 13, 14, 16, 17, 19 and 22-26 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1, 15, 21 and 27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This application is in condition for allowance except for the following formal matters:

#### *Claim Objections*

2. Claims 1, 15, 21 and 27 are objected to because of the following informalities:
- a) In claim 1 line 15: " $RM_1, RM_2, \dots, RM_i$ " are not defined.
  - b) In claim 1 line 15: It claims " $RM_1, RM_2, \dots, RM_i$ ". However, in the specifications line 16, it discloses " $RM_1, RM_2, \dots, RM_i$ ".
  - c) In claim 1 line 15: The "I" in " $\alpha_i RM_1$ " is not defined.
  - d) In claim 1 line 15: It is unclear which "RM" of " $RM_1, RM_2, \dots, RM_i$ " refers to the RM parameters of "the given one of the communication services" (lines 13-14).
  - e) In claim 1 line 17: " $SFER_i$ " and " $SFER_1$ " are not defined.
  - f) In claim 1 line 17: It is unclear whether or not one of " $SFER_1$ " and " $SFER_i$ " refers to the SFER of "the given one of the communication services" (lines 13-14).
  - g) In claim 15 line 4: The "I" above the  $\Sigma$  is not defined.
  - h) In claim 21 line 17: " $RM_1, RM_2, \dots, RM_i$ " are not defined.
  - i) In claim 21 line 17: It claims " $RM_1, RM_2, \dots, RM_i$ ". However, in the specifications line 16, it discloses " $RM_1, RM_2, \dots, RM_i$ ".
  - j) In claim 21 line 17: The " $RM_i$ " in " $\alpha_i RM_i$ " should be changed to " $RM_1$ ", following the equation of claim 1 line 15 and specifications line 16.
  - k) In claim 21 line 17: The "I" in " $\alpha_i RM_i$ " is not defined.

l) In claim 21 line 17: It is unclear which "RM" of " $RM_1, RM_2, \dots, RM_i$ " refers to the RM parameters of "the given one of the communication services" (lines 13-14).

m) In claim 21 line 19: " $SFER_i$ " and " $SFER_1$ " are not defined.

n) In claim 21 line 19: It is unclear whether or not one of " $SFER_1$ " and " $SFER_i$ " refers to the SFER of "the given one of the communication services" (lines 13-14).

o) In claim 27 line 19: The "I" above the  $\sum$  is not defined.

p) In claim 27 line 19: The "i" below the  $\sum$  is not defined.

q) In claim 27 lines 19-21: The "i" in " $N_i$ ", " $F_i$ ", and " $R_i$ " are not defined.

Appropriate correction is required.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.


A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine Ng whose telephone number is (571) 272-3124. The examiner can normally be reached on M-F; 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C. Ng   
July 12, 2006



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